



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

**BOARD OF DENTISTRY AND DENTAL HYGIENE**

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: [DPR.DELAWARE.GOV](http://DPR.DELAWARE.GOV)  
EMAIL: [customerservice.dpr@state.de.us](mailto:customerservice.dpr@state.de.us)

MEETING MINUTES:	<b>BOARD OF DENTISTRY AND DENTAL HYGIENE</b>
DATE AND TIME:	<b>October 18, 2018 at 3:00 p.m.</b>
PLACE:	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon Building
MINUTES FOR APPROVAL:	<b>December 20, 2018</b>

**MEMBERS PRESENT**

Dr. Thomas A. Mercer, DDS, Professional Member, President  
Dr. Brian McAllister, DMD, Professional Member, Secretary  
Rozi Berberian, Public Member  
Dr. Ryan Barnhart, DDS, Professional Member  
Tammy Beebe, RDH, Hygiene Advisory Member  
Dr. Erin Cox O'Leary, DDS, Professional Member (arrived 3:12 p.m.)  
June Ewing, Public Member  
Dr. Bruce Matthews, DDS, Professional Member (departed 4:28 p.m.)  
Buffy Parker, RDH, Professional Hygiene Member (departed 3:46 p.m.)  
Carla Rawheiser, RDH, Hygiene Advisory Member (arrived 3:03 p.m.)  
Joseph Stormer, Public Member (departed 4:46 p.m.)  
Bonnie Thomas, RDH, Hygiene Advisory Member

**MEMBERS ABSENT**

None

**DIVISION STAFF**

Meredith Hurley, Administrative Specialist II  
Jennifer Singh, Deputy Attorney General

**OTHERS PRESENT**

Dr. Frederick Ballard  
Nia Ballard  
Geoff Christ, Office of Controlled Substances

**CALL TO ORDER**

Dr. Mercer called the meeting to order at 3:01 p.m.

**REVIEW AND APPROVAL OF MINUTES**

**Meeting Minutes – August 16, 2018**

Ms. Parker moved, seconded by Dr. McAllister, to approve the August 16, 2018 meeting minutes as written. By unanimous vote, the motion carried.

Appeal Hearing Minutes – August 28, 2018

Ms. Parker moved, seconded by Dr. Mercer, to approve the August 18, 2018 appeal hearing minutes as written. By unanimous vote, the motion carried.

**UNFINISHED BUSINESS**

Review of Dental Exam Guidelines

The Board reviewed the revised changes to the guidelines and agreed they were acceptable. Ms. Parker moved, seconded by Dr. Barnhart, to approve the changes to the guidelines. By unanimous vote, the motion carried.

Dr. Mercer moved, seconded by Dr. McAllister, to add the application for Musa Macapodi to the agenda for discussion. By unanimous vote, the motion carried.

Review of Applications for Licensure

After review of the additional information from the New Jersey Board, Dr. Barnhart moved, seconded by Mr. Stormer, to propose to deny the dental application submitted by Musa Macapodi. By unanimous vote, the motion carried. Notice of the proposal to deny will be sent to Dr. Macapodi.

**NEW BUSINESS**

Proposal to Deny Hearing – Frederick Ballard

At 3:18 p.m., Ms. Singh called the proposal to deny hearing to order for Frederick Ballard. The Board introduced themselves for the record. Verbatim testimony was recorded electronically. Mr. Ballard was present and verified he waived his right to be represented by counsel. Ms. Singh stated the purpose of the hearing. The following was marked as Board Exhibit 1: Mr. Ballard's application for licensure and the correspondence related to the proposal to deny.

Mr. Ballard was sworn in, presented his case, and responded to questions asked by Board members.

The Board entered into deliberations at 4:14 p.m., and concluded at 4:16 p.m. Mr. Stormer moved, seconded by Dr. Cox, to approve the application for dental licensure for Frederick Ballard. The motion carried with Dr. Matthews opposing.

The hearing concluded at 4:17 p.m.

Appointment Recommendation to the Controlled Substance Advisory Committee

Mr. Christ, the Director of the Office of Controlled Substances, advised the Board that there is a vacancy for the dental position of the Controlled Substance Advisory Committee. He stated a replacement has been found and that the Committee requests a formal approval.

Dr. Barnhart moved, seconded by Dr. McAllister, to approve Dr. Eric Spencer to sit on the Controlled Substance Advisory Committee. By unanimous vote, the motion carried.

Ratification of Dental Hygienist Applications

Dr. McAllister moved, seconded by Dr. Barnhart, to ratify the dental hygienist licenses listed below. By unanimous vote, the motion carried.

Kelsey Lemire  
Yvette Garnett

Ratification of Dental Applications

Dr. McAllister moved, seconded by Dr. Barnhart, to ratify the dentist licenses listed below. By unanimous vote, the motion carried.

David Delgado  
Matthew Gawlas  
Jennifer Pinero  
Colleen Helder

Ratification of Dentist-Academic Applications

Dr. McAllister moved, seconded by Dr. Barnhart, to ratify the dentist-academic license listed below. By unanimous vote, the motion carried.

John Petrone

Ratification of Restricted I Permits

Dr. McAllister moved, seconded by Dr. Barnhart, to ratify the restricted I permit listed below. By unanimous vote, the motion carried.

Joseph Kelly

Ratification of Restricted II Permits

Dr. McAllister moved, seconded by Dr. Barnhart, to ratify the restricted II permits listed below. By unanimous vote, the motion carried.

Lewis Yu  
Ryan Graham

Ratification of Unrestricted Permits

Dr. McAllister moved, seconded by Dr. Barnhart, to ratify the unrestricted permit listed below. By unanimous vote, the motion carried.

Christopher Tai

Election of Officers

Dr. McAllister moved, seconded by Dr. Barnhart, to nominate Dr. Matthews for President.

Dr. Matthews moved, seconded by Dr. Cox, to nominate Dr. Barnhart for Secretary.

Dr. Mercer moved, seconded by Dr. Cox to approve the nominations of the above positions. By unanimous vote, the motion carried.

### Complaint Updates

The Board was informed that complaints #09-03-18, #09-06-18, #09-07-18, and #09-08-18 were dismissed due to insufficient evidence.

### Review of Continuing Education Activities

Dr. Barnhart moved, seconded by Mr. Stormer, to approve for 15 hours, the course submitted by Marlene Milunsky for “2018 International Conference on Nutrition in Medicine”. By unanimous vote, the motion carried.

### 2019 Meeting Schedule

The Board was given the meeting schedule for the 2019 calendar year. One error was acknowledged and will be corrected. The revised calendar will be emailed to the Board for their record.

## **CORRESPONDENCE**

### ADA Teledentistry

The Board reviewed the correspondence from ADA regarding teledentistry and sleep related breathing disorders. The Board regarded this as informational and agreed no action was required.

### Dr. Andrew Swiatowicz

Dr. Swiatowicz requested an opinion from the Board regarding the American Medical Association's policy on obstructive sleep apnea.

The Board discussed this and concluded that they cannot have an opinion as there is nothing in the statutes or regulations for guidance on this subject. It was suggested that Dr. Swiatowicz be referred to the ADA or an attorney that can interpret this new policy.

### AADH (American Academy of Dental Hygiene, Inc.)

This subject has been tabled until the next scheduled meeting.

## **OTHER BUSINESS BEFORE THE BOARD (For discussion only)**

There was no other business before the Board.

## **PUBLIC COMMENT**

There was no public comment.

## **NEXT MEETING**

The next Board meeting is scheduled for Thursday, December 20, 2018, at 3:00 p.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**ADJOURNMENT**

There being no further business before the Board, Dr. McAllister moved, seconded by Dr. Barnhart, to adjourn the meeting at 4:52 p.m. By unanimous vote, the motion carried.

Respectfully Submitted,

A handwritten signature in black ink that reads "Meredith Hurley". The signature is written in a cursive, flowing style.

Meredith Hurley  
Administrative Specialist II